

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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ARMEL ALVAREZ,

Plaintiff,

ORDER
CV 05-3703 (ENV) (ARL)

-against-

RYDER TRUCK RENTAL, et al.,

Defendants.

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LINDSAY, Magistrate Judge:

By letter dated March 15, 2007, defendant Ryder Truck Rental has advised the court that the plaintiff has failed to appear for orthopedic and psychological independent medical examinations as was ordered by the court on February 12, 2007, nor has she provided authorizations. In addition, the court has received separate pretrial order submissions from the plaintiff and defendant Ryder Truck Rental, Inc. According to the defendant, the plaintiff has been uncooperative in preparing a *joint* order requiring the defendant to submit its portion of the pretrial order directly to the court. Plaintiff has failed to respond to any of these issues and has not provided a reason for the failure to submit a joint pretrial order as was ordered by the court on February 12, 2007 and as required by Judge Vitaliano's rules. See Individual Motion Practices and Rules of District Judge Eric Vitaliano.

Plaintiff will be given one final opportunity to comply with his discovery obligations. Accordingly, plaintiff must appear for an orthopedic and psychological medical examination on or before April 3, 2007. Any outstanding authorizations must be provided by March 26, 2007. Finally, plaintiff is also directed to cooperate and confer with the defendant in the preparation of a joint pretrial order for submission by April 10, 2007. Plaintiff is cautioned that failure to comply with this order will lead to a recommendation that sanctions be imposed including the preclusion of evidence.

The final conference scheduled for March 21, 2007 is adjourned to **April 11, 2007 at 11:30 a.m.**

Dated: Central Islip, New York
March 20, 2007

SO ORDERED:

/s/
ARLENE R. LINDSAY
United States Magistrate Judge